



18 MAY 2007

Greenblum & Bernstein, P.L.C.
1950 Roland Clarke Place
Reston, Virginia 20191

In re Application of	:	
SCHULZ et al.	:	
Application No.: 10/574,219	:	DECISION ON PETITION
PCT No.: PCT/EP05/51894	:	UNDER 37 CFR 1.182
Int. Filing Date: 27 April 2005	:	
Priority Date: 27 April 2004	:	
Attorney Docket No.: P29299	:	
For: AQUEOUS ANTI-PERSPIRATION	:	
FORMULATION	:	

This decision is issued in response to applicants' "Renewed Petition under 37 CFR 1.182" dated 02 May 2007. Applicants are requesting to change the name of the fourth inventor from Yvonne Cierpysz to Yvonne Eckhard due to marriage. The \$400 petition fee has been submitted.

BACKGROUND

On 31 March 2006, applicants filed a transmittal letter for entry into the national stage in the United States which was accompanied by, inter alia: the basic national fee; a copy of the international application; and a preliminary amendment.

On 03 October 2006, applicants filed a Petition under 37 CFR 1.182 requesting to change the name of the fourth inventor from Yvonne Cierpysz to Yvonne Eckhard. In a decision dated 30 March 2007, applicants' petition under 37 CFR 1.182 was dismissed without prejudice.

On 02 May 2007, applicants filed the present renewed petition under 37 CFR 1.182.

DISCUSSION

Section 605.04(b) of the Manual of Patent Examining Procedure states that:

Except for correction of a typographical or transliteration error in the spelling of an inventor's name, a request to have the name changed from the typewritten version to the signed version or any other corrections in the name of the inventor(s) will not be entertained, unless accompanied by a petition under 35 U.S.C. 1.182 together with an appropriate petition fee.

Applicants are requesting to change the name of the fourth inventor from Yvonne Cierpysz to Yvonne Eckhard. Accordingly, the present renewed submission has been

treated as a petition under 37 CFR 1.182 to correct the name of the fourth inventor. For such a petition to be grantable, MPEP § 605.04(c) states that "the petition must include an appropriate petition fee and an affidavit signed with both names and setting forth the procedure whereby the change of name was effected, or a copy of the court order."

Here, applicants' previous submission included the authorization to charge Deposit Account No. 50-1733 for required fees, satisfying the petition fee requirement. As for the affidavit requirement, applicants have submitted a "Declaration of Yvonne Eckhard Concerning Name Change" (affidavit) regarding the name change. This affidavit states that the inventor's surname was changed, and that her name was legally changed to Yvonne Eckhard as a result of marriage. Further, the declarations (executed by Yvonne Eckhard and Linda Engfeldt) filed 02 May 2007 are in compliance with 37 CFR 1.497.

CONCLUSION

Applicants' petition under 37 CFR 1.182 to change the name of record for inventor Yvonne Cierpisz to Yvonne Eckhard is **GRANTED**. The declaration executed by Yvonne Eckhard and Linda Engfeldt are in compliance with 37 CFR 1.497(a)-(b).

A review of the application papers reveals that applicants have completed all the requirements of 35 U.S.C. 371 for entry into the national stage. This application will be given an international application filing date of 27 April 2005 and a date of 02 May 2007 under 35 U.S.C. 371.

This application is being referred to the National Stage Processing Branch of the Office Of PCT Operations for further processing in accordance with this decision.



Anthony Smith
Attorney-Advisor
Office of PCT Legal Administration
Tel: (571) 272-3298
Fax: (571) 273-0459